

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 31

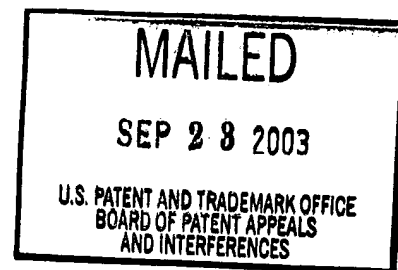
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte MARION S. BRIGHT et al.

Appeal No. 2003-0901
Application 09/303,368

ORDER VACATING ORAL HEARING
AND ORDER REMANDING TO EXAMINER



The Oral Hearing scheduled for November 5, 2003, at 9:00 a.m., 1225 Jefferson Davis Highway, Crystal Gateway 2, Arlington, VA 22202, has been vacated without prejudice.

On September 2, 2003, the Applicants filed both a Petition (Paper No. 29) and a corresponding Information Disclosure Statement (IDS), (Paper No. 30). The Petition and IDS have now been matched with this application at the Board of Patent Appeals and Interferences. The Petition and IDS need to be considered by

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the Examiner with respect to compliance with the criteria set forth in 37 CFR §§ 1.97 and 1.98. A communication notifying applicant of the Examiner's decision is required.

Accordingly, it is

ORDERED that the application is remanded to the Examiner for such consideration of the Petition and IDS, appropriate notification to the applicant, and for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal.

BOARD OF PATENT APPEALS
AND INTERFERENCES

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